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DK P BK 139 PG 280
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

For recording purposes only:

Prepared By:
Richard S Wilensky, TX Bar # 21467500
Wilensky & Jones LLP
3109 Carlisle Street, Ste 100
Dallas, TX 75204
(214) 220-2130

**TERMINATION OF MEMORANDUM OF LEASE
BETWEEN
DBAPPLEF LLC, AS LANDLORD
AND
APPLEBEE'S RESTAURANTS KANSAS, LLC, et al., AS TENANT**

INDEXING INSTRUCTION: Lot No. 1 of Phase 2, Village Shops of Crumpler
Place Subdivision, as shown on Plat of Record in Plat Book 60 at Page 24 32-1-b

PLEASE RETURN RECORDED DOCUMENT TO:

First American Title Insurance Company
911 Main Street, Ste 2500
Kansas City, MO 64105
Attn: Sheryl Snook
NCS 490000MS1 KCTY

Holcomb Dunbar
Bx 707
Oxford Ms 38655

(Above space reserved for recorder and recording information)

This instrument prepared by and
after recording return to:

Wilensky & Jones LLP
3109 Carlisle St Suite 100
Dallas, Texas 75204
Attention: Richard S. Wilensky

TERMINATION OF MEMORANDUM OF LEASE

This Termination of Memorandum of Lease ("Termination") is made and entered into as of the 1st day of August, 2010 by and between DBAPPLEF LLC, a Delaware limited liability company, ("Landlord") and Applebee's Restaurants Kansas LLC, a Kansas limited liability company, Applebee's Restaurants Mid-Atlantic LLC, a Delaware limited liability company, Applebee's Restaurants North LLC, a Delaware limited liability company, Applebee's Restaurants Texas LLC, a Texas limited liability company, and Applebee's Restaurants West LLC, a Delaware limited liability company (collectively, "Tenant").

Recitals:

- A. Landlord and Tenant have entered into a Master Land and Building Lease ("Lease") and executed a Memorandum of Lease, dated June 13, 2008, ("Memorandum of Lease"), recorded on June 23, 2008, in Book 127 Page 1 in DeSoto County, Mississippi, with respect to the Property more particularly described on Exhibit A attached hereto ("Property").
- B. Landlord has sold the Property and Landlord and Tenant have terminated the Lease with respect to the Property.
- C. Landlord and Tenant have agreed to terminate the Memorandum of Lease.

Now Therefore, for good and valuable consideration, the sufficiency of which is hereby expressed, Landlord and Tenant agree to the following:

1. Termination. The Memorandum of Lease is hereby terminated.

2. Counterparts. This Termination of Memorandum of Lease may be executed in multiple counterparts or copies, each of which shall be deemed an original hereof for all purposes.
3. Conflicts. If there are any conflicts between the provisions of this Termination of Memorandum of Lease and the Lease, the provisions of the Lease shall control. The rights and obligations set forth herein shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.


IN WITNESS WHEREOF, the parties have caused this Termination to be executed by their duly authorized representatives as of the day and date as acknowledged below to be effective as of the day and date first above written.

[SIGNATURES AND ACKNOWLEDGMENTS ON FOLLOWING PAGES]

LANDLORD:

DBAPPLEF LLC,
a Delaware limited liability company

BY: SKYLINE APPLE INVESTORS LLC,
a Delaware limited liability company
ITS: Disposition Manager



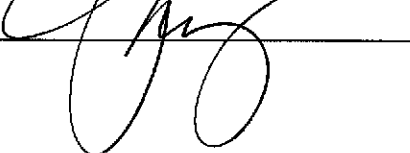
BY: D. Scott Ruegg
ITS: Manager

State of CALIFORNIA
County of SAN FRANCISCO

On 8/4/2010 before me, JT BENITZ, Notary Public,
personally appeared D SCOTT RUEGG, who proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 



(Seal)

FOR NOTARY STAMP

TENANT:

APPLEBEE'S RESTAURANTS KANSAS LLC,
a Kansas limited liability company

By: [Signature]
Name: Rebecca R. Tilden
Title: Vice President

State of Kansas
County of Johnson

On 8-6-10 before me, Claudia A Barwick Notary Public,
personally appeared Rebecca R. Tilden, who proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

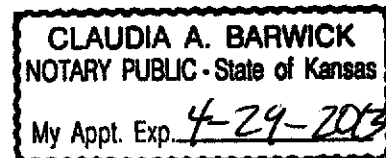
I certify under PENALTY OF PERJURY under the laws of the State of Kansas that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]

(Seal)

FOR NOTARY STAMP



APPLEBEE'S RESTAURANTS MID-ATLANTIC LLC
a Delaware limited liability company

By: [Signature]
Name: Rebecca R. Tilden
Title: Vice President

State of Kansas
County of Johnson

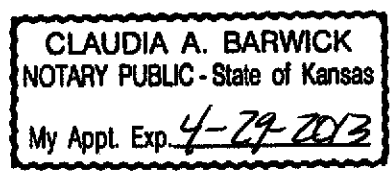
On 8-6-10 before me, Claudia A Barwick, Notary Public,
personally appeared Rebecca R. Tilden, who proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Kansas that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)

FOR NOTARY STAMP



APPLEBEE'S RESTAURANTS NORTH LLC
a Delaware limited liability company

By: [Signature]
Name: Rebecca R. Tilden
Title: Vice President

State of Kansas
County of Johnson

On 8-6-10 before me, Claudia A Barwick, Notary Public,
personally appeared Rebecca R. Tilden, who proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

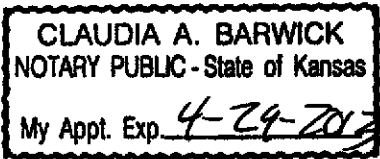
I certify under PENALTY OF PERJURY under the laws of the State of Kansas that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]

(Seal)

FOR NOTARY STAMP



APPLEBEE'S RESTAURANTS TEXAS LLC,
a Texas limited liability company

By: [Signature]
Name: Rebecca R. Tilden
Title: Vice President

State of Kansas
County of Johnson

On 8-6-10 before me, Claudia A Barwick, Notary Public,
personally appeared Rebecca R. Tilden, who proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

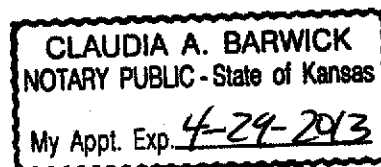
I certify under PENALTY OF PERJURY under the laws of the State of Kansas that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]

(Seal)

FOR NOTARY STAMP



APPLEBEE'S RESTAURANTS WEST LLC,
a Delaware limited liability company

By: Applebee's Enterprises LLC
Its Sole Member

By: *Rebecca R. Tilden*
Name: Rebecca R. Tilden
Title: Manager

State of Kansas
County of Johnson

On 8-6-10 before me, Claudia A. Barwick, Notary Public,
personally appeared Rebecca R. Tilden, who proved
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Kansas that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Claudia A. Barwick*

(Seal)

FOR NOTARY STAMP

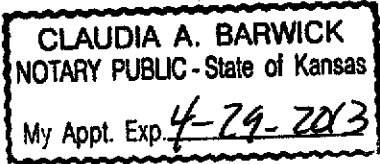


EXHIBIT A

LEGAL DESCRIPTION

Unit No.: 52074

Property Address: 7515 Goodman Road, Olive Branch, MS

PARCEL I:

LOT NO. 1 OF PHASE 2, VILLAGE SHOPS OF CRUMPLER PLACE SUBDIVISION, AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 60, PAGE 24 BEING LOCATED IN SECTION 32, TOWNSHIP 1 SOUTH, RANGE 6 WEST, OLIVE BRANCH, DESOTO COUNTY, MISSISSIPPI.

BEGIN AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE 6 WEST; THENCE SOUTH 00° 42' 02" WEST 99.06 FEET TO A POINT; THENCE SOUTH 89° 17' 58" EAST 2960.33 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF GOODMAN ROAD TO A CHISEL MARK (FOUND); SAID MARK BEING THE TRUE POINT OF BEGINNING FOR THE HEREIN DESCRIBED LOT; THENCE SOUTH 89° 17' 58" EAST 221.01 FEET ALONG SAID RIGHT OF WAY TO AN IRON PIN (FOUND); THENCE SOUTH 00° 40' 15" WEST 240.94 FEET TO AN IRON PIN (FOUND) IN THE NORTHERLY LINE OF A 40 FOOT INGRESS-EGRESS EASEMENT; THENCE ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 16.80 FEET, DELTA ANGLE OF 06° 25' 06", RADIUS OF 150.00 FEET, TANGENT LENGTH OF 8.41 FEET TO AN IRON PIN (FOUND); THENCE NORTH 89° 17' 58" WEST 170.51 FEET ALONG SAID EASEMENT TO A CHISEL MARK (FOUND); THENCE ALONG A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 53.00 FEET, DELTA ANGLE OF 89° 58' 13", RADIUS OF 33.85 FEET, TANGENT LENGTH OF 33.73 FEET TO A CHISEL MARK (FOUND) IN THE EASTERLY LINE OF A 30 FOOT INGRESS-EGRESS EASEMENT; THENCE NORTH 00° 40' 15" EAST 206.27 FEET ALONG SAID EASEMENT TO THE POINT OF BEGINNING.

PARCEL II:

TOGETHER WITH ALL EASEMENT RIGHTS AND APPURTENANCE WITH RESPECT TO INGRESS AND EGRESS TO THE PREMISES AS GRANTED IN THAT CERTAIN RECIPROCAL EASEMENT AND OPERATION AGREEMENT DATED FEBRUARY 25, 1998 AND RECORDED IN BOOK 331, PAGE 132 IN THE OFFICE OF THE CHANCERY CLERK, DESOTO COUNTY, MISSISSIPPI.

PLEASE RETURN DOCUMENT TO:

First American Title Insurance Company
National Commercial Services
911 Main, Suite 2500, Kansas City, MO 64105
Attention: Sheryl Snook
FILE NO. 4900001251

Olive Branch, MS # 52074